

### **REMARKS**

The foregoing amendments and these remarks are in response to the Office Action dated February 28, 2003. This amendment is filed with a request for a one month extension of time.

At the time of the Office Action, claims 1-55 were pending in the application, with claims 26-28 and 53-55 having been withdrawn from consideration. Claims 26-28 and 53-55 are cancelled herein without prejudice. In the Office Action, Claims 1-12, 14-25, 29-40 and 42-52 were rejected under 35 U.S.C. §102(a). Claims 13 and 41 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form. The rejections are discussed in more detail below.

#### **I. Claim Rejections on Art**

Prior to turning to the rejections on art, a brief review of the features of claims 1 and 29 is appropriate. Claim 1 relates to a method for efficient bulk delivery of packages for recipients. The method includes a step of associating an article identifier of a package with an identifier of a pickup location. A plurality of packages for a plurality of recipients are grouped for delivery to a destination centralized pickup location based on the association of the article identifier and the pickup location identifier. The method further includes a step for delivering the packages in bulk in a single delivery stop to the pickup location. Notably, a storage locker bin is randomly selected from a system of storage locker bins. Each delivered package is loaded into a respective randomly selected storage locker bin. Claim 29 relates to a system for efficient bulk delivery of packages for recipients. The system includes associating means for associating an article identifier of a package with an identifier of a pickup location. A plurality of packages for a plurality of recipients are grouped by grouping means for delivery to a destination centralized pickup location based on the association of the article identifier and the pickup location identifier.

The system further includes delivery means for delivering the packages in bulk in a single delivery stop to the destination centralized pickup location. Means are included for randomly selecting a storage locker bin from a system of storage locker bins. Means are also included for loading each delivered package into a respective randomly selected storage locker bin.

In the Office Action, claims 1-12, 14-25, 29-40 and 42-52 are rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,085,170 to Tsukuda. Applicant respectfully submits that Tsukuda does not disclose or suggest the features recited by the present claims.

In this regard, applicant notes that the disclosure of Tsukuda involves a method and system designed for delivering a package to a recipient's home at a time when the recipient is there to accept the package. One of the options supported by the method and system described in Tsukuda is to allow for the delivery of a package to an agent, from whom the recipient can later retrieve the package based upon predefined criteria for use of an agent, instead of delivering to the recipient's address. The second embodiment of Tsukuda describes the use of an automated storage system in place of a human agent. The Tsukuda method focuses on increasing the likelihood of a recipient being at home for receipt of the package by comparing the distributor's schedule with that of the recipient to coordinate the timing of delivery. Tsukuda is not designed to group packages together for efficient bulk delivery to a pickup location. In fact, there is no mention in Tsukuda of any steps of grouping packages, and the elements of the system described therein are not consistent with the steps required to support bulk delivery.

In stark contrast, the system and method according to pending claims 1 and 29 relate to the grouping of packages destined for a plurality of recipients for bulk delivery to a pickup location. In fact, while features of claims 1 and 29 describe steps for handling packages grouped by a pickup location identifier, the steps described in the Tsukuda method demonstrate that each package is handled individually. Tsukuda explicitly states

that the second embodiment is the same as the first except as noted (see column 9, lines 23-29).

At column 3, lines 61-63, Tsukuda describes the detailed process steps associated with FIG. 8 which are part of the higher level process step 102 of both FIG 1 (for the first embodiment) and FIG 12 (for the second embodiment). Step 801 describes determining the distributor's delivery schedule information. Step 802 describes determining whether goods should be delivered to the agent or to the delivery address based upon a comparison of a predetermined standard for use of an agent and available delivery windows for the customer specific address at the time. For Tsukuda, because the determination of use of an agent is dynamically dependent upon schedule availability (which is dependent upon the timing and scheduling preferences of other orders received in the same time frame), each order (package) must be considered individually.

An illustration of a difference between claims 1 and 29, and Tsukuda with respect to the certainty of the delivery location is shown in the following excerpt from Tsukuda (see column 4, lines 42-46):

An example of the delivery information 121 is shown in FIG. 3 and an example of the delivery goods information 122 in FIG. 4. In case that a column 411 of the delivery schedule is blanked, it means that there is not yet determined the delivery schedule and the agent.

Another factor demonstrating the uncertainty of the delivery location within the Tsukuda method is that the agent to be used can be changed based upon the agent's ability to store the packages, whether the agent is a human agent or an automated storage system (see column 6, lines 34-39 and lines 65-67):

In an arbitrary agent, the commission is not necessarily available for all of goods. For example, it cannot deal with if the goods is larger than a certain size(s), or if there is no room for storing the goods to be commissioned. For that reason, a plurality of agents may be notified to the distribution server.

When receiving a response that the agent cannot deal with, then the notice is made to another agent.

Notably, however, for the present method and system as recited by claims 1 and 29, the destination for every package is known in the process at the time the order is taken, because the package destination is the pickup location selected by the customer (recipient), and it is not dependent upon other factors. Therefore, in claims 1 and 29 all the packages that are destined for the same pickup location can be grouped together for transport to the pickup location.

Further, claims 1 and 29 recite use of a system of storage locker bins to facilitate the delivery of a large number of packages to a single pickup location at one time. The Tsukuda method, to the contrary, describes using the storage system as an automated option in place of a human agent for delivering a package for a single recipient in the situation where it is not possible to align the delivery schedule of the distributor with the availability of the recipient.

Additionally, claims 1 and 29 recite random selection of a storage locker bin from a system of storage locker bins, and loading each package into a respective randomly selected locker bin. This provides significant time advantages when delivering a plurality of packages in bulk, as the person or automated system delivering the packages to the storage locker bins does not have to spend any time selecting a locker bin, or locating a designated locker bin into which each package must be placed. In stark contrast, in Tsukuda, the locker bin must first be checked in order to see if it meets various criteria for storage of the article, such as the size, and the ability to refrigerate the package. See, for example, column 10, lines 6-8 and lines 23-24:

The locker information comprises, other than "Box Number", various conditions for using the respective boxes, including "size(s)", "able to refrigerate?" and so on.

A step 1602 is a step for checking whether there is a locker which satisfies the condition or not.

Clearly, therefore, the lockers of Tsukuda are not randomly selected, but must be compared against package criteria for a match prior to selection of the locker.

For the foregoing reasons, Applicant believes that the independent claims are patentable and in condition for allowance. The dependent claims are believed allowable because of their dependence upon an allowable base claim and because of the further features recited.

II. Claim objections

Claims 13 and 41 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 13 and 41 are rewritten in independent form herein, and are thus in condition for allowance. No additional claims fees are believed necessary because of the cancellation of independent claims 26, 28, 53 and 55 herein.

Appln. No. 09/810,903  
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Reply to Office Action dated Feb. 28, 2003

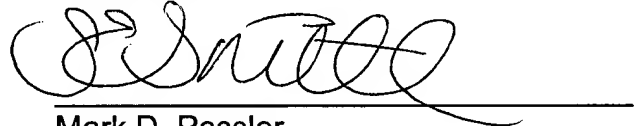
Docket No. 6979-1

III. Conclusion

Applicant has made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. Nevertheless, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

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Respectfully submitted,



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